

**COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
BUREAU OF INSURANCE**

AT RICHMOND, OCTOBER 20, 2006
ADMINISTRATIVE ORDER NO. 11758

ORDER EXEMPTING CROP INSURANCE FROM THE FORM FILING REQUIREMENTS OF § 38.2-317 A OF THE CODE OF VIRGINIA, PURSUANT TO THE PROVISIONS OF § 38.2-317 F OF THE CODE OF VIRGINIA, AND THE RATE AND SUPPLEMENTARY RATE INFORMATION FILING REQUIREMENTS OF § 38.2-1906 A OF THE CODE OF VIRGINIA, AND THE LOSS COSTS FILING REQUIREMENTS OF § 38.2-1906 B OF THE CODE OF VIRGINIA, PURSUANT TO THE PROVISIONS OF § 38.2-1903 OF THE CODE OF VIRGINIA

WHEREAS, it appearing to the Commissioner of Insurance that the form filing requirements of § 38.2-317 A applicable to forms used in writing Crop Insurance, which is a sub-classification of Miscellaneous Property Insurance as defined in § 38.2-111 A of the Code of Virginia, should be suspended because the terms and conditions for such insurance are largely governed by requirements established by the Federal Crop Insurance Corporation, a division of the U.S. Department of Agriculture, and because there are no specific Virginia statutory requirements applicable to such forms;

IT IS, THEREFORE, ORDERED that the requirement of filing forms used in writing Crop Insurance is hereby suspended pursuant to the provisions of § 38.2-317 F of the Code of Virginia by entry of this order until further order of the Commissioner.

IT IS FURTHER ORDERED that the forms exempted by this order and hereafter used by insurers shall not be in violation of any applicable provisions of Title 38.2 of the Code of Virginia, and the Commissioner hereby reserves the right to make such examination or investigation with respect thereto as he may deem advisable or necessary to determine whether such forms may be, or may become, in violation of this Title.

WHEREAS, it appearing to the Commissioner of Insurance that the requirement of filing rates and supplementary rate information set forth in § 38.2-1906 A, and the requirement of filing loss costs set forth in § 38.2-1906 B, applicable to rates, supplementary rate information, and loss costs used in writing Crop Insurance are not necessary to protect policyholders against the adverse effects of excessive, inadequate, or unfairly discriminatory rates, or to ensure independent action and reasonable price competition among insurers; and in consideration of the fact that such rates, supplementary rate information, and loss costs are, to some extent, determined based upon rates set by the Federal Crop Insurance Corporation, a division of the U.S. Department of Agriculture;

IT IS, THEREFORE, ORDERED that the requirements for filing rates, supplementary rate information, and loss costs for use in writing Crop Insurance are hereby suspended pursuant to the provisions of § 38.2-1903 of the Code of Virginia by entry of this order until further order of the Commissioner.

IT IS FURTHER ORDERED that the rates, supplementary rate information, and loss costs affected by this order and hereafter used by insurers shall not be excessive, inadequate, or unfairly discriminatory, and that the Commissioner hereby reserves the right to make such examination or investigation with respect thereto as he may deem advisable or necessary in order to determine whether any rates, supplementary rate information, or loss costs affected by this suspension may be, or may become, excessive, inadequate, or unfairly discriminatory. Statistical data related to Crop Insurance remains subject to the data-reporting requirements of § 38.2-1919 of the Code of Virginia.

AN ATTESTED COPY HEREOF shall be sent to all licensed rate service organizations, to Mary M. Bannister, Deputy Commissioner of Insurance, and to all insurance companies that are affected thereby.